# UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

D. R. HORTON, INC.	)
and	) Case 12-CA-25764
MICHAEL CUDA, an Individual	) ) )

### RESPONDENT'S MOTION FOR EXTENSION OF TIME TO FILE ANSWERING BRIEFS TO AMICUS BRIEFS

D.R. Horton, Inc., Respondent herein, respectfully moves for an extension of time from August 10, 2011, until August 24, 2011, to file its answering briefs to the amicus briefs filed by numerous amici by invitation of the Board, and as grounds for the same states:

- 1. The order of July 18, 2011, issued by the Executive Secretary by direction of the Board, extended the time allowed for interested amici to file briefs commenting on the issues presented by this case until July 27, 2011, and provided that parties' answering briefs are to be filed on or before August 10, 2011.
- 2. Because of the significant number of amicus briefs filed, the Respondent believes the time allotted for parties to fully review the numerous amicus briefs, research the issues presented therein, and draft answering briefs is insufficient.
- 3. For these reasons, Respondent respectfully requests an extension until Wednesday, August 24, 2011 to file its answering briefs.

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WHEREFORE, Respondent respectfully requests that the time for filing Respondent's answering briefs to amicus brief be extended until August 24, 2011.

Respectfully submitted,

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Attorneys for D. R. Horton, Inc.

Dated: August 3, 2011

# UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

D. R. HORTON, INC.	)
and	) Case 12-CA-25764
MICHAEL CUDA an Individual	) ) ) )

#### **CERTIFICATE OF SERVICE**

I certify that the foregoing Respondent's <u>MOTION FOR EXTENSION OF TIME</u>

TO FILE ANSWERING BRIEFS TO AMICUS BRIEFS was served on August 3, 2011 by electronic mail on the following:

John F. King john.king@nlrb.gov

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### **FACSIMILE TRANSMITTAL**

DATE:	8/4/2011	PAGES:	5 (includes Fax Cover pages)
TO:	Lester Heltzer NLRB Executive Secretary	FROM:	Ellis Fisher
FAX:	202-273-4270	PHONE:	864-240-8368
PHONE:	202-273-1067	CLIENT/MATTER NO.:	005641-000235

RE: D.R. Horton, Inc. and Michael Cuda, an Individual Case No. 12-CA-25764

If problems arise with receipt of this transmission, please contact: Paula McDaniel 864-240-8340

MESSAGE: Attached is Respondent's Motion for Extension of Time to File Answering Briefs to Amicus Briefs in the above-referenced case.

Due to the inability of including an attachment to our E-Filed request for an Extension of Time, please place the attached Motion with our Extension of Time filed yesterday,

August 3, 2011, Confirmation Number: 299349

### PLEASE CALL ELLIS FISHER – 864-240-8368

when you receive this document. The Confirmation shows an incorrect case number – the CORRECT case number is 12-CA-25764

### NOT 12-CA-025766

Thank you very much for your assistance.

Atlanta \* Austin \* Birmingham \* Bloomfield Hills \* Boston \* Charleston \* Minneapolis \* Morristown \* Nashville \* New Orleans Orange County \* Philadelphia \* Phocnix \* Pittsburgh \* Portland \* Raleigh \* St. Louis \* St. Thomas \* San Antonio \* San Francisco \* Tampa \* Torrance \* Tucson \* Washington

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August 4, 2011 Page 2

From: ExecSec@nirb.gov <e-Service@nlrb.gov>

To: Fisher, H. Ellis

Sent: Wed Aug 03 19:15:27 2011

Subject: RE:12-CA-025766-(Incorrect case number) Request for an

Extension of Time to File a Document

## **CORRECT Case Number is 12-CA-25764**

Confirmation Number: 299349

You have successfully accomplished the steps for E-Filing document(s) with the NLRB Office of the Executive Secretary. This E-mail notes the official date and time of the receipt of your submission. Please save this E-mail for future reference.

As a courtesy, a notification of this electronic filing will be sent to all parties in this case who have registered for the Board's E-Issuance/E-Service Pilot Program. \*\*PLEASE NOTE - This courtesy notification does not constitute service on those parties pursuant to Board Rules & Regulations Sections 102.114(a) or 102.114(i). You must take action to meet the requirements of these Rules to properly effectuate service.

Date Submitted: 8/3/2011 7:01:50 PM (GMT-05:00) Eastern Time (US & Canada) Case Name:

DHI, Mortgage Company Ltd, a subsidiary of D.R. Horton, Inc.

Case Number: 12-CA-025766

Filing Party:

Charged Party / Respondent

Name:

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EOT.12-CA-025766.eot.pdf